

ORIGINAL

FEDERAL MARITIME COMMISSION

CO-LOADING PRACTICES BY NON-
VESSEL-OPERATING COMMON
CARRIERS; SHIPPER AFFILIATE
ACCESS TO SERVICE CONTRACTS

Docket No. 93-22

Served: November 1, 2004

Order discontinuing proceeding.

ORDER

In Docket No. 93-22 - Co-loading Practices by Non-Vessel-Operating Common Carriers; Shipper Affiliate Access to Service Contracts ("93-22"), the Commission issued a Notice of Proposed Rulemaking ("NPR") to amend the current co-loading requirements.¹

A proposed rule was issued in this proceeding, and comment was sought on the following issues: (1) whether the term "co-loading" should be redefined; (2) whether there should be an

¹Co-loading is defined as: "the combining of cargo by two or more NVOCCs for tendering to an ocean common carrier under the name of one or more of the NVOCCs." 46 C.F.R. § 520.2.

The co-loading requirements, at 46 C.F.R. § 520.11(c), stipulate the specific co-loading situations NVOCCs shall address in their tariffs; the documentation requirements; and the co-loading rates.

alternative proposal limiting co-loading to exclude full containerload cargo; (3) whether co-loaded cargo should be prohibited from being carried under a service contract; and (4) whether an "affiliate" should be defined as having access to service contracts. Comments were also sought on whether further restrictions should be imposed regarding co-loaded cargo applicability to time-volume rates, and whether co-loading should be prohibited altogether.

This docket was initiated over ten years ago. While co-loading remains a relevant topic for Commission consideration, the particularities of co-loading and its effects on the shipping industry have likely changed since the early 1990s. Given the changing needs of the shipping industry, this docket is outdated and unlikely to provide insight into current Shipping Act issues. As such, we order that the above-captioned proceeding be discontinued.

CONCLUSION

THEREFORE, IT IS ORDERED, That this proceeding is discontinued.

By the Commission.



Bryant L. VanBrakle
Secretary